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EXAMINER

LETT, THOMAS J

ART UNIT

PAPER NUMBER

2626

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Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/808,932

Applicant(s)

BABA, KEIZO

Examiner

Thomas J. Lett

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-61 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-61 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: Detailed Action

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1-61 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 2 and 3 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant claims that "...said displaying control device displays the advertisement information...". It would be more appropriate to claim "... said display device displays the advertisement information...".

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-10, 15-24, and 29-61 are rejected under 35 U.S.C. 102(e) as being anticipated by Ukita et al (USPN 6,622,174 B1).

With respect to claim 1, Ukita et al disclose a facsimile apparatus (member terminal 1, col. 8, lines 28-31), comprising:

a network interface device (communication function unit 110, col. 12, lines 19-25) connected to a network (via antenna 111) and configured to transmit and receive facsimile data therebetween;

an advertisement information acquiring device (DRAM 123 stores the received facsimile data and the advertisement information, col. 20, lines 13-15) configured to acquire advertisement information from an advertisement server (common server device 2, col. 16, lines 49-56) connected to said network via said network interface device;

a display device (display 105) to display the advertisement information (col. 17, lines 57-65) acquired from said advertisement information acquiring device (common server device 2, col. 16, lines 49-56); and

a displaying control device (system control unit 121, col. 17, lines 59-65) configured to control the displaying of the advertisement information.

With respect to claim 2, Ukita et al disclose a facsimile apparatus as defined in claim 1, wherein said displaying control device (system control unit 121, col. 17, lines 59-65) displays the advertisement information during a time period of transmitting facsimile data (advertisement information can be displayed by the member terminal 1 even during facsimile functions, col. 18, lines 46-54).

With respect to claim 3, Ukita et al disclose a facsimile apparatus as defined in claim 1, further comprising:

a facsimile data storing device configured to store facsimile data (member terminal 1 receives the received facsimile data and the advertisement information, and stores these in the DRAM 123, col. 20, lines 13-15);

wherein said displaying control device (system control unit 121, col. 17, lines 59-65) displays the advertisement information on said display device during a time period of storing the facsimile data (advertisement information can be displayed by the member terminal 1 even during facsimile functions, col. 18, lines 46-54).

With respect to claim 4, Ukita et al disclose a facsimile apparatus as defined in claim 1, further comprising:

an outputting device (DRAM 123, col. 20, lines 13-15) configured to output the advertisement information (DRAM 123 outputs the advertisement information to the LCD 105, col. 20, lines 15-19);

an advertisement information output instructing device (system control unit 121, col. 17, lines 59-65) configured to instruct outputting of the advertisement information displayed on said display device (LCD 105, col. 20, lines 15-19); and wherein said displaying control device outputs the advertisement information instructed by said advertisement information output instructing device (system control unit 121, col. 17, lines 59-65) with the outputting device (DRAM 123 outputs the advertisement information to the LCD 105, col. 20, lines 15-19).

With respect to claim 5, Ukita et al disclose a facsimile apparatus as defined in claim 1, further comprising:

an advertisement information facsimile transmission instructing device (communication function unit 110, col. 12, lines 19-25) configured to instruct facsimile transmission of the advertisement information displayed on said display device (the member terminal 1 can make telephone communication with another member terminal 1, col. , lines which inherently indicates that information compatibly displayed on one member terminal can be transmitted by facsimile over the telephone connection to another similar terminal); and

wherein said displaying control device (system control unit 121, col. 17, lines 59-65) transmits by facsimile transmission the advertisement information instructed by said advertisement information facsimile transmission instructing device to a previously set address (if transferring to a member terminal, it is inherent that the address would be previously set).

With respect to claim 6, Ukita et al disclose a facsimile apparatus as defined in claim 1, further comprising:

an advertisement information mail transmission instructing device (communication function unit 110, col. 12, lines 19-25) configured to instruct electronic mail transmission of the advertisement information displayed on said display device (the member terminal 1 can make telephone communication with another member terminal 1, col. 8, lines 61-67) which inherently indicates that information compatibly displayed on one member terminal can be transmitted by facsimile over the telephone connection

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to another similar terminal. Examiner further notes that member terminal 1 is capable of email transmission of data.); and

wherein said displaying control device (system control unit 121, col. 17, lines 59-65) transmits by electronic mail the advertisement information instructed by said advertisement information mail transmission instructing device to a previously set address (if transferring to a member terminal, it is inherent that the address would be previously set).

With respect to claim 7, Ukita et al disclose a facsimile apparatus as defined in claim 1, wherein said displaying control device (system control unit 121, col. 17, lines 59-65) combines the advertisement information with a communication control report (communication information is added to the reception log of each member terminal, col. 34, lines 24-34)

With respect to claim 8, Ukita et al disclose a facsimile apparatus as defined in claim 1, wherein said displaying control device (system control unit 121, col. 17, lines 59-65) combines the advertisement information with a part of transmission image data (the advertisement information provided by being attached to the received facsimile data, col. 20, lines 7-12).

With respect to claim 9, Ukita et al disclose a facsimile apparatus as defined in claim 1, further comprising:

an outputting device (LCD 105) configured to output the advertisement information; wherein said displaying control device outputs the advertisement information to the outputting device at preset times (member terminal 1 has excellent

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portability, and allows for provision of various times of information services regardless of time or place, simply by accessing the common server device 2, col. 8, lines 24-27).

With respect to claim 10, Ukita et al disclose a facsimile apparatus as defined in claim 1, wherein said displaying control device (system control unit 121, col. 17, lines 59-65) transmits the advertisement information by electronic mail to a previously set address at preset times (member terminal 1 has excellent portability, and allows for provision of various times of information services regardless of time or place, simply by accessing the common server device 2, col. 8, lines 24-27).

Claim 15 is a method claim and is rejected for the same reasoning as that of claim 1.

Claim 16 is a method claim and is rejected for the same reasoning as that of claim 2.

Claim 17 is a method claim and is rejected for the same reasoning as that of claim 3.

Claim 18 is a method claim and is rejected for the same reasoning as that of claim 4.

Claim 19 is a method claim and is rejected for the same reasoning as that of claim 5.

Claim 20 is a method claim and is rejected for the same reasoning as that of claim 6.

Claim 21 is a method claim and is rejected for the same reasoning as that of claim 7.



Claim 22 is a method claim and is rejected for the same reasoning as that of claim 8.

Claim 23 is a method claim and is rejected for the same reasoning as that of claim 9.

Claim 24 is a method claim and is rejected for the same reasoning as that of claim 10.

With respect to claim 29, Ukita et al disclose a communication system (see computer network system of Fig. 1), comprising:

a network connecting plural terminal devices (plurality of member terminals 1) with transmission paths and transmitting/receiving data between said plural terminal devices through said transmission paths;

an advertisement server (common server device 2, col. 16, lines 49-56) connected to said network; and a facsimile apparatus including (member terminal 1);

a network interface device (communication function unit 110, col. 12, lines 19-25) connected to said network and capable of transmitting and receiving facsimile data therebetween;

an advertisement information acquiring device (DRAM 123 stores the received facsimile data and the advertisement information, col. 20, lines 13-15) configured to acquire advertisement information from said advertisement server through said network interface device;

a display device (display 105) for displaying the advertisement information (col. 17, lines 57-65) acquired by said advertisement information acquiring device (common server device 2, col. 16, lines 49-56); and

a displaying control device (system control unit 121, col. 17, lines 59-65) configured to control the displaying of the advertisement information.

With respect to claim 30, Ukita et al disclose a facsimile apparatus of claim 1, wherein said network comprises at least one of an ISDN, a LAN, a WAN, and a telephone line (see Fig. 1 and Fig. 3).

With respect to claim 31, Ukita et al disclose a facsimile apparatus of claim 1, wherein said network interface device is configured to transmit data to and receive data from a device over at least one of an ISDN, a LAN, a WAN, and a telephone line (transmission and reception of information occur over a dedicated trunk network 5 which is a network under administration of an ISP (Internet Service Provider). In other words, 5N is the ISP backbone, i.e., a network such as a LAN, and this ISP backbone 5N and the PHS/ISDN network 3n are connected via a PHS 32 Kbit/second transfer speed Japanese industry-standard PIAFS (PHS Internet Access Forum Standard) access point 4P, col. 9, lines 1-7).

With respect to claim 32, Ukita et al disclose a method of claim 15, wherein said network comprises at least one of an ISDN, a LAN, a WAN, and a telephone line (transmission and reception of information occur over a dedicated trunk network 5 which is a network under administration of an ISP (Internet Service Provider). In other words, 5N is the ISP backbone, i.e., a network such as a LAN, and this ISP backbone 5N and

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the PHS/ISDN network 3n are connected via a PHS 32 Kbit/second transfer speed Japanese industry-standard PIAFS (PHS Internet Access Forum Standard) access point 4P, col. 9, lines 1-7).

With respect to claim 33, Ukita et al disclose a system of claim 29, wherein said network comprises at least one of an ISDN, a LAN, a WAN, and a telephone line (transmission and reception of information occur over a dedicated trunk network 5 which is a network under administration of an ISP (Internet Service Provider). In other words, 5N is the ISP backbone, i.e., a network such as a LAN, and this ISP backbone 5N and the PHS/ISDN network 3n are connected via a PHS 32 Kbit/second transfer speed Japanese industry-standard PIAFS (PHS Internet Access Forum Standard) access point 4P, col. 9, lines 1-7).

With respect to claim 34, Ukita et al disclose a system of claim 29, wherein said network interface device is configured to transmit data to and receive data from a device over at least one of an ISDN, a LAN, a WAN, and a telephone line (transmission and reception of information occur over a dedicated trunk network 5 which is a network under administration of an ISP (Internet Service Provider). In other words, 5N is the ISP backbone, i.e., a network such as a LAN, and this ISP backbone 5N and the PHS/ISDN network 3n are connected via a PHS 32 Kbit/second transfer speed Japanese industry-standard PIAFS (PHS Internet Access Forum Standard) access point 4P, col. 9, lines 1-7).

With respect to claim 35, Ukita et al disclose a facsimile apparatus of claim 1, wherein at least a portion of said network is the Internet (transmission and reception of

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information occur over a dedicated trunk network 5 which is a network under administration of an ISP (Internet Service Provider). In other words, 5N is the ISP backbone, i.e., a network such as a LAN, and this ISP backbone 5N and the PHS/ISDN network 3n are connected via a PHS 32 Kbit/second transfer speed Japanese industry-standard PIAFS (PHS Internet Access Forum Standard) access point 4P, col. 9, lines 1-7).

With respect to claim 36, Ukita et al disclose a method of claim 15, wherein at least a portion of said network is the Internet (transmission and reception of information occur over a dedicated trunk network 5 which is a network under administration of an ISP (Internet Service Provider). In other words, 5N is the ISP backbone, i.e., a network such as a LAN, and this ISP backbone 5N and the PHS/ISDN network 3n are connected via a PHS 32 Kbit/second transfer speed Japanese industry-standard PIAFS (PHS Internet Access Forum Standard) access point 4P, col. 9, lines 1-7).

With respect to claim 37, Ukita et al disclose a system of claim 29, wherein at least a portion of said network is the Internet (transmission and reception of information occur over a dedicated trunk network 5 which is a network under administration of an ISP (Internet Service Provider). In other words, 5N is the ISP backbone, i.e., a network such as a LAN, and this ISP backbone 5N and the PHS/ISDN network 3n are connected via a PHS 32 Kbit/second transfer speed Japanese industry-standard PIAFS (PHS Internet Access Forum Standard) access point 4P, col. 9, lines 1-7).

With respect to claim 38, Ukita et al disclose a facsimile apparatus of claim 30, wherein at least a portion of said ISDN, LAN, WAN, and telephone line is the Internet

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(transmission and reception of information occur over a dedicated trunk network 5 which is a network under administration of an ISP (Internet Service Provider). In other words, 5N is the ISP backbone, i.e., a network such as a LAN, and this ISP backbone 5N and the PHS/ISDN network 3n are connected via a PHS 32 Kbit/second transfer speed Japanese industry-standard PIAFS (PHS Internet Access Forum Standard) access point 4P, col. 9, lines 1-7).

With respect to claim 39, Ukita et al disclose a facsimile apparatus of claim 31, wherein at least a portion of said ISDN, LAN, WAN, and telephone line is the Internet (transmission and reception of information occur over a dedicated trunk network 5 which is a network under administration of an ISP (Internet Service Provider). In other words, 5N is the ISP backbone, i.e., a network such as a LAN, and this ISP backbone 5N and the PHS/ISDN network 3n are connected via a PHS 32 Kbit/second transfer speed Japanese industry-standard PIAFS (PHS Internet Access Forum Standard) access point 4P, col. 9, lines 1-7).

With respect to claim 40, Ukita et al disclose a method of claim 32, wherein at least a portion of said ISDN, LAN, WAN, and telephone line is the Internet (transmission and reception of information occur over a dedicated trunk network 5 which is a network under administration of an ISP (Internet Service Provider). In other words, 5N is the ISP backbone, i.e., a network such as a LAN, and this ISP backbone 5N and the PHS/ISDN network 3n are connected via a PHS 32 Kbit/second transfer speed Japanese industry-standard PIAFS (PHS Internet Access Forum Standard) access point 4P, col. 9, lines 1-7).

With respect to claim 41, Ukita et al disclose a system of claim 33, wherein at least a portion of said ISDN, LAN, WAN, and telephone line is the Internet (transmission and reception of information occur over a dedicated trunk network 5 which is a network under administration of an ISP (Internet Service Provider). In other words, 5N is the ISP backbone, i.e., a network such as a LAN, and this ISP backbone 5N and the PHS/ISDN network 3n are connected via a PHS 32 Kbit/second transfer speed Japanese industry-standard PIAFS (PHS Internet Access Forum Standard) access point 4P, col. 9, lines 1-7).

With respect to claim 42, Ukita et al disclose a system of claim 34, wherein at least a portion of said ISDN, LAN, WAN, and telephone line is the Internet (transmission and reception of information occur over a dedicated trunk network 5 which is a network under administration of an ISP (Internet Service Provider). In other words, 5N is the ISP backbone, i.e., a network such as a LAN, and this ISP backbone 5N and the PHS/ISDN network 3n are connected via a PHS 32 Kbit/second transfer speed Japanese industry-standard PIAFS (PHS Internet Access Forum Standard) access point 4P, col. 9, lines 1-7).

With respect to claim 43, Ukita et al disclose a facsimile apparatus (member terminal 1, col. 8, lines 28-31), comprising:

means for connecting (communication function unit 110, col. 12, lines 19-25) to a network (via antenna 111) and for transmitting and receiving facsimile data therebetween (facsimile, emails, advertisements, and other data are received amongst devices on the network, col. 8, lines 49-58);

means for acquiring advertisement information (DRAM 123 stores the received facsimile data and the advertisement information, col. 20, lines 13-15) from an advertisement server (common server device 2, col. 16, lines 49-56) connected to said network via said connecting means;

means for displaying (display 105, col. 17, lines 57-65) the advertisement information acquired from said advertisement information acquiring means (DRAM 123); and

means for controlling (system control unit 121, col. 17, lines 59-65) the displaying of the advertisement information.

With respect to claim 44, Ukita et al disclose a communication system, comprising:

a network (see network of Fig. 1) connecting plural terminal devices (connection of several member terminals 1, contents providing device 11, and communications terminal 10) and transmitting/receiving data between said plural terminal devices (facsimile, emails, advertisements, and other data are received amongst these devices, col. 8, lines 49-58);

an advertisement server (common server device 2, col. 16, lines 49-56) connected to the network; and

a facsimile apparatus (member terminal 1) including;

means for connecting (communication function unit 110, col. 12, lines 19-25) to said network and for transmitting and receiving facsimile data therebetween;

means for acquiring advertisement information from said advertisement server  
(common server device 2, col. 16, lines 49-56) through said connecting means;

means for displaying (display 105, col. 17, lines 57-65) the advertisement  
information acquired by said advertisement information acquiring means (DRAM 123);  
and

means for control (system control unit 121, col. 17, lines 59-65) the displaying of  
the advertisement information.

Claim 45 is a product claim and is rejected for the same reasoning as that of  
claim 1.

Claim 46 is a product claim and is rejected for the same reasoning as that of  
claim 2.

Claim 47 is a product claim and is rejected for the same reasoning as that of  
claim 3.

Claim 48 is a product claim and is rejected for the same reasoning as that of  
claim 4.

Claim 49 is a product claim and is rejected for the same reasoning as that of  
claim 5.

Claim 51 is a product claim and is rejected for the same reasoning as that of  
claim 7.

Claim 52 is a product claim and is rejected for the same reasoning as that of  
claim 8.



Claim 53 is a product claim and is rejected for the same reasoning as that of claim 9.

Claim 54 is a product claim and is rejected for the same reasoning as that of claim 10.

Claim 59 is a product claim and is rejected for the same reasoning as that of claim 30.

Claim 60 is a product claim and is rejected for the same reasoning as that of claim 38.

Claim 61 is a product claim and is rejected for the same reasoning as that of claim 35.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 11, 12, 25, 26, 55, 56, and 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ukita et al (USPN 6,622,174 B1) in view of Yamauchi et al (USPN 5,701,497).

Regarding claims 11 and 12, Ukita et al does not disclose said displaying control device specifies a transmission destination country from a telephone number of a facsimile transmission address; and wherein said displaying control device combines

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the advertisement information in a language of the specified country with the part of transmission image data. Yamauchi et al disclose a translating unit for translating facsimile image data to identify the original language based upon various commands included in the facsimile protocol. There is also a case in which the telephone number of the sender is described in the facsimile protocol (col 2, lines 1-4). Ukita et al and Yamauchi et al are analogous art because they are from the similar problem solving area of message translation. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to add the feature of translation feature of Yamauchi et al to Ukita et al in order to obtain a way to translate the combined message to effectively advertise a product. The motivation for doing so would be to convey a message to a user of a different language.

Claim 25 is a method claim and is rejected for the same reasoning as that of claim 11.

Claim 26 is a method claim and is rejected for the same reasoning as that of claim 12.

Claim 55 is a product claim and is rejected for the same reasoning as that of claim 12.

Claim 56 is a product claim and is rejected for the same reasoning as that of claim 12.

Claim 57 is a product claim and is rejected for the same reasoning as that of claim 11.

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5. Claims 13 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ukita et al (USPN 6,622,174 B1) in view of Boucher et al (US Pat 5,884,246).

Regarding claim 13, Ukita et al does not disclose displaying control device specifies a transmission destination country from an electronic mail address of electronic mail transmission; and wherein said displaying control device transmits the advertisement information in a language of the specified country. Boucher et al disclose a translation machine 136 that determines the language which the message is to be translated into (Step 230 in FIG. 3C). The translation machine 136 determines the country which is the destination of the translated message by the two letter country indicating top level domain and performs a translation into a preselected language in accordance with the top level domain (col 12, lines 10-14). Ukita et al and Boucher et al are analogous art because they are from the similar problem solving area of message translation based on message information. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to add the feature of Boucher et al to Ukita et al in order to obtain a way to translate the combined message to effectively advertise a product. The motivation for doing so would be to convey a message to a user of a different language.

Claim 27 is a method claim and is rejected for the same reasoning as that of claim 13.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Motoyama et al (USPN 6,785,711 B1) display advertising messages while the transmitting device is in an idle state.

Petrecca et al (USPN 5,781,894) allows sponsors to present commercials to computer devices while users are waiting.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Lett whose telephone number is 571-272-7464. The examiner can normally be reached on 7-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on 571-272-7471. The fax phone

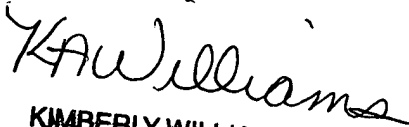
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number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TJL



  
KIMBERLY WILLIAMS  
SUPERVISORY PATENT EXAMINER